

HOUSE BILL 115

Introduced by T. Nelson, et al.

1/07	Introduced
1/07	Referred to Appropriations
1/07	First Reading
2/15	Rereferred to Joint Subcommittee on Human Services and Aging
3/04	Hearing
3/15	Tabled in Committee

1 House BILL NO. 115
 2 INTRODUCED BY Sen Nelson Tom Hager
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A
 5 STATUTORY APPROPRIATION FROM THE GENERAL FUND TO THE
 6 DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES FOR THE
 7 RENAL DISEASE TREATMENT PROGRAM; AMENDING SECTIONS 17-7-502
 8 AND 50-44-102, MCA; AND PROVIDING AN EFFECTIVE DATE."

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 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 17-7-502, MCA, is amended to read:

12 "17-7-502. Statutory appropriations -- definition --
 13 requisites for validity. (1) A statutory appropriation is an
 14 appropriation made by permanent law that authorizes spending
 15 by a state agency without the need for a biennial
 16 legislative appropriation or budget amendment.

17 (2) Except as provided in subsection (4), to be
 18 effective, a statutory appropriation must comply with both
 19 of the following provisions:

20 (a) The law containing the statutory authority must be
 21 listed in subsection (3).

22 (b) The law or portion of the law making a statutory
 23 appropriation must specifically state that a statutory
 24 appropriation is made as provided in this section.

25 (3) The following laws are the only laws containing

1 statutory appropriations: 2-9-202; 2-17-105; 2-18-812;
 2 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111;
 3 15-23-706; 15-25-123; 15-31-702; 15-36-112; 15-37-117;
 4 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411;
 5 17-3-212; 17-5-404; 17-5-424; 17-5-704; 17-5-804; 17-6-409;
 6 17-7-304; 19-5-404; 19-6-709; 19-8-504; 19-9-702; 19-9-1007;
 7 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513;
 8 19-11-606; 19-12-301; 19-13-604; 19-15-101; 20-4-109;
 9 20-6-406; 20-8-111; 20-9-361; 20-26-1503; 22-3-811;
 10 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631;
 11 23-7-301; 23-7-402; 27-12-206; 37-43-204; 37-51-501;
 12 39-71-2504; 44-12-206; 44-13-102; 50-44-102; 53-6-150;
 13 53-24-206; 61-5-121; 67-3-205; 75-1-1101; 75-5-507;
 14 75-5-1108; 75-11-313; 76-12-123; 77-1-808; 80-2-103;
 15 80-11-310; 82-11-136; 82-11-161; 85-1-220; 90-3-301;
 16 90-4-215; 90-6-331; 90-7-220; and 90-9-306.

17 (4) There is a statutory appropriation to pay the
 18 principal, interest, premiums, and costs of issuing, paying,
 19 and securing all bonds, notes, or other obligations, as due,
 20 that have been authorized and issued pursuant to the laws of
 21 Montana. Agencies that have entered into agreements
 22 authorized by the laws of Montana to pay the state
 23 treasurer, for deposit in accordance with 17-2-101 through
 24 17-2-107, as determined by the state treasurer, an amount
 25 sufficient to pay the principal and interest as due on the

1 bonds or notes have statutory appropriation authority for
 2 the payments. (In subsection (3): pursuant to sec. 7, Ch.
 3 567, L. 1991, the inclusion of 19-6-709 terminates upon
 4 death of last recipient eligible for supplemental benefit;
 5 and pursuant to sec. 18, Ch. 748, L. 1991, the inclusion of
 6 22-3-811 terminates June 30, 1993.)"

7 **Section 2.** Section 50-44-102, MCA, is amended to read:

8 **"50-44-102. Establishment of program.** (1) The
 9 department of health and environmental sciences shall
 10 establish a program to provide treatment to persons
 11 suffering from chronic renal diseases, including dialysis
 12 and other medical procedures and techniques, which that will
 13 have a lifesaving effect in the care and treatment of such
 14 persons suffering from chronic renal diseases. The
 15 department shall extend financial assistance to persons
 16 suffering from chronic renal diseases in obtaining the
 17 medical, nursing, pharmaceutical, and technical services
 18 necessary to care for such chronic renal diseases, including
 19 the rental or purchase of home dialysis equipment and
 20 supplies.

21 (2) The department shall by rule establish standards
 22 for determining the amount or duration of financial
 23 assistance to be extended to individuals under this program
 24 in order that treatment ~~shall~~ may be provided to those who
 25 are financially unable to obtain services without causing

1 severe economic imbalance in the family economic unit. ~~Such~~
 2 ~~standards--shall~~ Standards must be established without
 3 reference to maximum or minimum income levels.

4 (3) The department is not liable to any person for a
 5 failure to provide financial assistance to that person under
 6 this section if sufficient funds are not appropriated by the
 7 legislature.

8 (4) The amount of \$500,000 per biennium is statutorily
 9 appropriated, as provided in 17-7-502, from the general fund
 10 to the department of health and environmental sciences for
 11 the renal disease treatment program provided for in this
 12 part."

13 **NEW SECTION. Section 3.** Effective date. [This act] is
 14 effective July 1, 1993.

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